

REMARKS

The Office Action of April 24, 2008 has been carefully considered by Applicants. Claims 1-21 are presently pending. Claims 1-20 have been rejected. Claim 21 is newly added. Claims 1, 10, 13, 19, and 20 are amended. No new matter has been added.

I. Claim Rejections under 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Office Action describes on page 2, “[t]he verbiage “*sufficient level of satisfaction*” is indefinite because it fails to impart a definitive authentication result” [Emphasis in original]. Applicants have amended claim 1 and respectfully submit that claim 1 is definite. Accordingly, Applicants respectfully submit that the Section 112, second paragraph rejection of claim 1 be withdrawn.

II. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn (U.S. Patent No. 6,149,522).

Applicant believes the rejection is deficient for the following reasons. Claims as amended describe limitations, such as recited in claim 1, “providing a central processing unit for use in conjunction with the gaming machine, said central processing unit designed or configured to execute executable programming instructions for generating a wager-based game on the gaming machine; providing a memory device used in conjunction with the gaming machine, said memory device storing the executable programming instructions for generating the wager-based game; providing a volatile programmable electronic device for use in conjunction with the gaming machine, said volatile programmable electronic device comprising a plurality of logic elements programmable to form logic gates, said volatile programmable volatile programmable electronic device disposed in a communication path between the central processing unit and the memory device; providing a configurator for use in conjunction with the gaming machine, said configurator including a read only configuration file, said configuration file comprising instructions for configuring the volatile programmable electronic device to enable communications between the central processing unit and the memory device; providing a separate read only custodial file for use in conjunction with the gaming machine, wherein at least a substantial portion of said custodial file is identical to at least a substantial portion of said configuration file when said

configuration file is authentic, said custodial file residing in a location separate from said configurator; holding the operating contents of said volatile programmable electronic device as substantially empty upon a shut down phase of said gaming machine to disable communication between the central processing unit and the memory device” and “facilitating communication between said memory device and said central processing unit upon determining that said configuration file has been successfully compared to said custodial file”. Applicants believe the citations providing by the Examiner don’t teach or suggest a microprocessor based machine, such as a gaming machine, in the manner as described in the pending claims.

As described in the claims, a volatile programmable electronic device, such as a field programmable gate array, is disposed in a communication path between a CPU and a memory device storing the executable programming instructions for generating the wager-based game (see FIG. 3 of the pending application). The volatile programmable electronic device comprises a plurality of logic elements to form logic gates. The volatile programmable electronic device may be programmed to enable communications between the CPU and the memory device storing executable programming instructions for generating the wager-based game. Further, the operating contents said volatile programmable electronic may be held as substantially empty upon a shut down phase of said gaming machine to disable communication between the central processing unit and the memory device. Applicants believe that the prior art citations provided by the Examiner don’t teach or suggest a gaming machine configured with a volatile programmable memory device that is used in this manner. Therefore, for at least these reasons, the Applicants believe the rejection is overcome thereby.

CONCLUSION

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

The Commissioner is hereby authorized to charge any additional fees, including any extension fees, which may be required or credit any overpayment directly to the account of the undersigned, No. 504480 (Order No. IGT1P096/P-824).

Respectfully submitted,

/ David P. Olynick /

David P. Olynick
Registration No. 48,615
Weaver Austin Villeneuve & Sampson LLP
P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100